

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUNNYSIDE DEVELOPMENT
COMPANY LLC,

CASE NO. C-08-1780 MHP

Plaintiff(s),

v.

CAMBRIDGE DISPLAY TECHNOLOGY
LIMITED, CDT OXFORD LIMITED, et al.

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

Defendant(s).

_____ /
Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

✓ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

Private ADR (please identify process and provider) _____

The parties agree to hold the ADR session by:

the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

✓ other requested deadline October 31, 2008 (after Defs.' motions to dismiss are decided)

Dated: June 30, 2008

/s/ Christoph C. Heisenberg

Attorney for Plaintiff

Dated: June 30, 2008

/s/ Alice Kwong Ma Hayashi

Attorney for Defendants

CAMBRIDGE DISPLAY TECHNOLOGY
and CDT OXFORD LIMITED

To the extent the filing of this stipulation constitutes an appearance, CDT Oxford Limited makes this appearance specially without waiving any applicable defenses, including the defenses of lack of personal jurisdiction and improper venue. CDT Oxford (which is a United Kingdom corporation headquartered in the United Kingdom and has had no contact with the United States) plans to raise these defenses in a motion to dismiss under Rule 12(b) of the Federal Rules of Civil Procedure at the appropriate time. Sunnyside does not join in this statement and will oppose any motion to dismiss.

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

✓ Mediation

Private ADR

Deadline for ADR session

90 days from the date of this order.

✓ other October 31, 2008

IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT JUDGE

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and CDT OXFORD LIMITED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SUNNYSIDE DEVELOPMENT
COMPANY LLC,

Plaintiff,

vs.

CAMBRIDGE DISPLAY TECHNOLOGY
LIMITED, CDT OXFORD LIMITED,
OPSYS LIMITED, and JOHN DOES I
through V,

Defendants.

No. C-08-1780-MHP

**DECLARATION OF ALICE K. M.
HAYASHI PURSUANT TO
GENERAL ORDER 45, § X.B**

Courtroom 15, 18th Floor
Hon. Marilyn Hall Patel

I, ALICE KWONG MA HAYASHI, hereby declare pursuant to General Order 45,
§ X.B, that I have obtained concurrence in the filing of the parties' Stipulation and
[Proposed] Order Selecting ADR Process from Christoph C. Heisenberg, counsel for
Sunnyside.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on June 30, 2008, at San Francisco, California.

/s/ Alice Kwong Ma Hayashi
Alice Kwong Ma Hayashi